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SUBJECT: PORTUGUESE PARLIAMENT PASSES SAME-SEX MARRIAGE BILL

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¶1. As anticipated (reftel), on January 8, the Portuguese Parliament passed a bill to legalize same-sex marriage while rejecting proposals to allow adoption by same-sex couples and a petition for a public referendum on the issue. The Socialist-sponsored bill was approved after a three-hour debate with the support of three leftist parties, with 123 deputies voting in favor, 94 against, and seven members of the center-right Social Democratic Party (PSD) abstaining. While Socrates and his government expressed optimism that the final version of the bill would be approved by the end of January, the opposition argued that the bill is discriminatory and violates the Constitution. The far-left Left Bloc supported the bill but accused the government of creating a "legal imbroglio" by allowing same-sex marriage while prohibiting same-sex adoption.

¶2. Media Reaction: The long-awaited legislative measure received extensive coverage in both local and international media. Under headlines such as "One Country, Two Marriages," "The Left Highlights 'Historic Day' in Parliament," "The Opposition Gives Space to Cavaco to Block Gay Marriage," and "Proposal of the Socialist Party is Discriminatory," local press echoed the sentiments of a heavily Roman Catholic country in transition to a more tolerant liberalism. It also reflected the opinion of many that the bill, although groundbreaking, did not go far enough to allow same-sex adoption. Portuguese media noted the reactions of the far-left Left Bloc and the opposition center-right PSD and conservative Popular Party, which argued against the Socialist-sponsored bill on constitutional grounds. They also highlighted the reservations of conservative President Cavaco Silva and his options for rejecting the bill if approved by the plenary.

¶3. Public Reaction: Gay rights activists celebrated it as a historic moment, while the Archbishop of Lisbon warned that same-sex marriage would change the traditional concept of family, which "could have grave consequences for the future." Members of the conservative pro-family movement that collected over 90,000 signatures to petition for a referendum on the issue expressed disappointment over the rejection of their petition, describing the moment as "a black day for Portuguese society" and a "demonstration of the deputies' despotic power." Many retail stores welcomed the news, seeing same-sex marriage as a business opportunity -- a way of boosting an economy in crisis. Independent Deputy Miguel Vale de Almeida, the first openly gay member of Parliament, rejoiced in the victory, hailing it as an important step in raising awareness against homophobia, but said he would continue to fight for the right of adoption by same-sex couples.

¶4. Next Steps: The bill will now be reviewed in committee before returning to the floor for a final vote in Parliament. If passed, the bill will then go to the President, who has three options: he can sign it into law, veto it, or refer it to the Constitutional Court if he has concerns about its

constitutionality. It is not likely that he will veto the measure as it can be overturned in Parliament by a simple majority. If the bill is signed into law by the President, it could go into effect in April, just a month before the Pope's visit to Portugal. If approved, Portugal would become the sixth European country to legalize same-sex marriage.

For more reporting from Embassy Lisbon and information about Portugal, please see our Intelink site:

<http://www.intelink.sgov.gov/wiki/portal:portugal>  
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